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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT  
DIVISION SIX

THE PEOPLE,

Plaintiff and Respondent,

v.

JEFF DON FERGUSON,

Defendant and Appellant.

2d Crim. No. B272256  
(Super. Ct. No. 2015021974)  
(Ventura County)

Jeff Don Ferguson appeals the judgment entered after he pled guilty to elder abuse (Pen. Code, § 368, subd. (b)(1))<sup>1</sup> and admitted a prior strike conviction (§§ 667, subds. (c)(1) & (e)(1); 1170.12, subds. (a)(1) & (c)(1)) and a prior prison term enhancement (§ 667.5, subd. (b)). Before sentencing, the trial court denied a *Romero* motion (*People v. Superior Court (Romero)* (1996) 13 Cal.4th 497) to strike the prior strike conviction. Appellant was sentenced to four years state prison and ordered to pay a \$300 restitution fine (§ 1202.4, subd. (b)), a \$300 parole revocation fine (§ 1202.45), victim restitution (§ 1202.4, subd. (f)), a \$40 court security fee (§ 1465.8), and a \$30 criminal conviction assessment (Gov. Code, § 70373). The plea and sentence were based on the probation report which states that appellant choked his 75-year-old mother with

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<sup>1</sup> All statutory references are to the Penal Code unless otherwise stated.

both hands, and later in the day, punched the victim twice in the face, kicked her three times, and punched the victim when she attempted to stand up.

We appointed counsel to represent appellant in this appeal. After examining the record, counsel filed an opening brief raising no issues. On August 5, 2016 we advised appellant that he had 30 days to personally submit any contentions he wished us to consider. No response has been received from appellant.

We have reviewed the entire record and are satisfied that appellant's attorney has fully complied with his responsibilities and that no arguable issues exist. (*People v. Kelly* (2006) 40 Cal.4th 106, 126; *People v. Wende* (1979) 25 Cal.3d 436, 443.)

The judgment is affirmed.

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YEGAN, J.

We concur:

GILBERT, P. J.

PERREN, J.

Colleen Toy White, Judge  
Superior Court County of Ventura

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Jonathan B. Steiner, Executive Director, Richard B. Lennon, Staff  
Attorney, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance by Respondent.